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Attorneys for Plaintiff MMJK, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Plaintiff and Counterdefendant MMJK, Inc. (“MMJK”) hereby answers the Counterclaims of Defendant Ultimate Blackjack Tour, LLC (“UBT”) as follows:

1. MMJK admits the allegations of paragraph 19 of the Counterclaims.
2. MMJK admits the allegations of paragraph 20 of the Counterclaims.
3. MMJK admits the allegations of paragraph 21 of the Counterclaims.

FIRST COUNTERCLAIM FOR RELIEF

(Declaration of Non-Infringement)

4. MMJK admits the allegations of paragraph 23 of the Counterclaims.

- 1 5. MMJK admits the allegations of paragraph 24 of the Counterclaims.
- 2 6. MMJK admits the allegations of paragraph 25 of the Counterclaims.
- 3 7. MMJK denies the allegations of paragraph 26 of the Counterclaims.
- 4 8. MMJK denies the allegations of paragraph 27 of the Counterclaims.
- 5 9. MMJK denies the allegations of paragraph 28 of the Counterclaims.
- 6 10. MMJK denies the allegations of paragraph 29 of the Counterclaims.
- 7 11. MMJK denies the allegations of paragraph 30 of the Counterclaims.
- 8 12. MMJK denies the allegations of paragraph 31 of the Counterclaims.

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10 **SECOND COUNTERCLAIM FOR RELIEF**

11 **(Declaration of Invalidity)**

- 12 13. MMJK denies the allegations of paragraph 33 of the Counterclaims.
- 13 14. MMJK denies the allegations of paragraph 34 of the Counterclaims.
- 14 15. MMJK denies the allegations of paragraph 35 of the Counterclaims.

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16 **THIRD COUNTERCLAIM FOR RELIEF**

17 **(Declaration of Unenforceability)**

- 18 16. MMJK denies the allegations of paragraph 37 of the Counterclaims.
- 19 17. MMJK denies the allegations of paragraph 38 of the Counterclaims.
- 20 18. MMJK denies the allegations of paragraph 39 of the Counterclaims.
- 21 19. MMJK denies the allegations of paragraph 40 of the Counterclaims.

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23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff and Counterdefendant MMJK prays for a judgment against Defendant
25 and Counterclaimant UBT as follows:

- 26 1. Enter judgment that UBT's Counterclaims be dismissed with prejudice;
- 27 2. Declare that this is an exceptional case under 35 U.S.C. § 285 and award MMJK its
28 attorneys' fees and expenses in this action;

3. Award MMJK its costs in this action;

4. Enter such other and further relief to which MMJK may be entitled as a matter of law, or which the Court may deem just and proper.

Dated: August 16, 2007

DERGOSITS & NOAH LLP

By: /s/ Todd A. Noah

Todd A. Noah

Attorneys for Plaintiff and Counterdefendant
MMJK, INC.

JURY DEMAND

Plaintiff and counterdefendant MMJK hereby demands a trial by jury of all claims and counterclaims in this action for which there is a right to trial by jury.

Dated: August 16, 2007

DERGOSITS & NOAH LLP

By: /s/ Todd A. Noah

Todd A. Noah

Attorneys for Plaintiff and Counterdefendant
MMJK, Inc.